

GOVERNMENT OF TELANGANA
ABSTRACT

Telangana State Forest (Conservation) Act, 1980– Diversion of **24.80 Ha** of Forest Land in erstwhile Warangal District for improvement to the existing road from km 121/0 to 154/0 of Nakrekal to Mallampally Road of NH-365 in favour of Executive Engineer(R&B), NH Division, Warangal.–Final **(Stage.II) approval** accorded – Orders – Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (FOR.I) DEPARTMENT

G.O.Ms.No. 23

Dated: 10-05-2024

Read the following:-

- 1.From the PCCF (HoFF), T.S., Hyd., Lr.No.42139/2013-FCA2, dt.06-06-2016.
- 2.State Govt. Lr.No.2736/For.I (1)/2016-1, Dt. 29.07.2016 & 13.10.2016.
- 3.From GoI, MoEF & CC, Chennai, F.No.4-TSC021/2016-CHN/0872, Dt.06.06.2017.
- 4.From PCCF (HoFF), T.S., Hyd., Rc.No.42139/2013/FCA-2, Dt.22.09.2020.
- 5.Govt. Letter. No.2736/For.I(1)/2016, Dated:03.11.2020.
- 6.From the PCCF(HoFF), T.S., Hyd., Ref.No.FC2/FC09/39/2022, Dt:24.04.2024.

O R D E R

In the letter 1st read above, the Principal Chief Conservator of Forests, Telangana State, Hyderabad has furnished a proposal for diversion of **24.80 Ha** of Forest Land in erstwhile Warangal District for improvement to the existing road from km 121/0 to 154/0 of Nakrekal to Mallampally Road of NH-365 in favour of Executive Engineer(R&B), NH Division, Warangal.

2. In the letter 3rd read above, the Ministry of Environment & Forests GoI have granted in-principle (Stage-I) approval for the proposal forwarded vide letter 2nd read above, subject to fulfillment of the conditions stipulated thereof.

3. In the letter 5th read above, the State Government have sent the report of compliance on the conditions stipulated by GoI, as submitted by the Principal Chief Conservator of Forests, Telangana State, Hyderabad in her letter 4th read above, to the Ministry of Environment, Forests & Climate Change, Chennai, for according necessary approval.

4. In the letter 6th read above, Central Government have granted final approval for the proposal **(FP/TG/ROAD/21649/2016)** in para-1 above, under Section- 2 of the Forest (C) Act, 1980, subject to fulfillment of the conditions stipulated therein.

5. Accordingly, Government hereby accord **final (Stage-II)** approval for diversion of **24.80 Ha** of Forest Land in erstwhile Warangal District for improvement to the existing road from km 121/0 to 154/0 of Nakrekal to Mallampally Road of NH-365 in favour of Executive Engineer(R&B), NH Division, Warangal, under section-2 of the Forest (Conservation) Act, 1980, subject to fulfillment of the following conditions:-

- i. The legal status of the diverted forest land shall remain unchanged;
- ii. The demarcation of the proposed forest area shall be carried out by erecting 4-foot-high cement concrete pillars duly numbered at an interval of 20 meters at the cost of the User Agency before handing over the forest land to the user agency.

(PTO)

- iii. The request for change in the CA land has been acceded to as the agency executing the work is State NH on behalf of MoRTH and raising CA in double the extent of degraded forest land will not be applicable for the instant project. Accordingly,
 - a. Compensatory Afforestation shall be taken over 24.895 ha of non-forest land (two patches 14.585 Ha & 10.31 Ha.). The NFL parcel admeasuring 14.585 Ha in Sy.No: 126, Gajulagattu Village, Gudur Mandal, Mahbubabad Range and 10.31 Ha in Sy.No: 116/1/P, Madivantha Village, Garla Mandal, Mahbubabad Range. Further, CA Plantation has to be taken up in the Degraded Forest land in Comprt No: 93 of Garla RF Block, Tekulagudem Beat, Kothapeta Section of Bayyaram over an extent of 16 ha for raising with 10 years of maintenance instead of earlier identified 50 has in compt.nos. 596 & 597 of Jakaram-I RF, Pandikunta Beat of Mulug Range at the cost of user agency.
- iv. The non-forest land transferred shall be mutated in favour of the State Forest Department and shall be notified by the State Government as Reserved Forest/ Protected Forests as per the provisions of the Indian Forest Act, 1927 or under the relevant section (s) of the local Forest Act, within 6 months of the formal approval and the Nodal Officer shall report compliance in this regard along with a copy of the original notification declaring the non-forest land as RF/PF,
- v. The User Agency shall transfer the cost of raising and maintaining the compensatory afforestation charges, at the current wage rate, to the State Forest Department if there is any difference in the changed CA and the CA scheme may include afforestation of indigenous species with appropriate provision for anticipated cost increase for works scheduled for subsequent years:
- vi. The compensatory afforestation scheme, as approved, shall be implemented by the State Forest Department at the project cost within a period of three years from the date of grant of 'Final' approval.
- vii. The CA land identified and the CA scheme approved now shall not be changed by the SFD without obtaining approval of the Central Government.
- viii. The State Government shall realize the Net Present Value (NPV) of the forest land being diverted under this proposal from the User Agency as per the guidelines given in Chapter-3 of the Consolidated Guidelines and Clarification issued by the Ministry in accordance with the Hon'ble Supreme Court of India's order dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No. 202/1995 in the matter of T.N. Godavarman Thirumalpad vs. Union of India.
- ix. The User Agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India:
- x. As recommended by the Standing Committee of NBWL, the State Government shall implement standard mitigation measures brought out by the Wildlife Institute of India with adequate over bridges and underpasses and conditions prescribed by the State Chief Wildlife Warden at the cost of the user agency.
- xi. All the conditions imposed in the wildlife clearance shall be complied with.

- xii. The user agency may construct speed breakers / rumble strips on the road within the wildlife areas/wildlife crossings along with frequent signage creating awareness on speed limits and their potential impact on wildlife.
- xiii. The User Agency, it required shall obtain the environment clearance under the Environment Impact Assessment Notification, 2006 issued under the Environmental (Protection) Act; 1986;
- xiv. No labour camp shall be established on the forest land and the User Agency shall provide firewood preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas.
- xv. The forest land shall not be used for any purpose other than that specified in the proposal;
- xvi. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- xvii. The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government.
- xviii. The State Government, before issuing the final diversion order, shall ensure that the user agency has complied with all the provisions of all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s), including compliance of Forest Rights Act, 2006 pertaining to this project, for the time being in force, as applicable to the project, and
- xix. Violation of any of these conditions will amount to violation of Van(Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and action would be taken as prescribed in para 1.16 of Chapter 1 of the Handbook of Comprehensive Guidelines of Van(Sanrakshan Evam Samvardhan) Adhiniyam, 1980 as issued by this Ministry's letter dated 29.12.2023.
- xx. The user agency shall arrange to raise strip plantation on either side of the road and central verge at project cost, as per IRC specifications, with maintenance of 10 years.
- xxi. Overburden shall not be dumped outside the width of the road. The muck generated in the earth cuttings will be disposed of at the designated dumping sites and in no case the muck/debris will be allowed to roll down the hill slopes.
- xxii. The user agency will provide retaining walls, breast walls and drainage as per requirement to make the slope stable.
- xxiii. The designing of culverts/bridges, if any, over the natural streams/rivers/canals should be done in such a manner that it does not hamper the natural course of water, does not give rise to water-logging, and also does not hamper the movement of wild animals.
- xxiv. The user agency shall submit the annual self-compliance report in respect of the above-stated conditions to the State Government, concerned Regional Office by the end of March every year regularly.

xxv. Any other condition that the concerned Regional Office of this Ministry may stipulate with the approval of competent authority in the interest of conservation, protection and development of forests & Wildlife;

6. The Nodal Officer shall be responsible for obtaining the compliance of all the conditions laid down in the Stage-II (final) approval accorded under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

7. The Principal Chief Conservator of Forests, Telangana State, Hyderabad shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

A.VANI PRASAD
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Principal Chief Conservator of Forests,
Telangana State, Hyderabad.

Copy to:

The Prl. Chief Conservator of Forests/Nodal Officer (FCA), Office of the
Principal Chief Conservator of Forests, Forests Department, Govt.of
Telangana, Aranya Bhavan, Saifabad, Hyderabad, PIN-500004 .

The Regional Office(SEZ),
Ministry of Environment Forest and Climate Change,
1st and 2nd Floor, Handloom Export Promotion Council,
34, Cathedral Garden Road, Nungambakkam, Chennai -34.

The Inspector General of Forests(C),Suboffice, MoEF&CC, Hyderabad,
Regional Office, Chennai,6th Floor, Aranya bhavan, Hyderabad.

The Executive Engineer, (R&B Dept.), NH Division, Warangal,
Telangana-50600.

SC/SF.

// FORWARDED :: BY ORDER:: //

SECTION OFFICER